

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RALPH HOWARD BLAKELY,  
  
Petitioner,

v.

PATRICK GLEBE,  
  
Respondent.

CASE NO. C14-5244 BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 15), and Petitioner Ralph Howard Blakely’s (“Blakely”) objections to the R&R (Dkt. 16).

On June 19, 2014, Judge Strombom issued the R&R recommending that the Court transfer Blakely’s petition to the Ninth Circuit because it is a second or successive petition. Dkt. 15. Blakely objects to the transfer on the basis that he is actually innocent. Dkt. 16. Whether or not Blakely is actually innocent does not change the fact that he must seek permission from the Ninth Circuit before filing a second or successive petition. 28 U.S.C. § 2244(b)(3)(A).

- (1) The R&R is **ADOPTED**;
- (2) The Clerk shall **TRANSFER** the petition to the Ninth Circuit; and
- (3) This case shall be administratively closed.

  
BENJAMIN H. SETTLE  
United States District Judge